



CITY OF DANBURY
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PLANNING COMMISSION
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MINUTES
AUGUST 21, 2013

The meeting was called to order by Chairman Arnold Finaldi Jr. at 7:35 PM.

Present were Arnold Finaldi Jr., Joel Urice and Alternates Robert Chiochio and Michael Ferguson. Also present was Associate Planner Jennifer Emminger.

Absent were Fil Cerminara and Helen Hoffstaetter.

Chairman Finaldi seated Mr. Ferguson for the vacant seat on the Commission and asked Mr. Chiochio to take Mr. Cerminara's place for the items on tonight's agenda.

Chairman Finaldi said they had received the June 12, 2013 and July 17, 2013 minutes. Mr. Urice made a motion to accept both sets of minutes. Mr. Ferguson seconded the motion and it was passed unanimously.

Chairman Finaldi said they must set a date for a special meeting to be held in September. He explained that both of the regular meeting dates in September conflict with Rosh Hashanah and Sukkot so they cannot meet on those nights. After some discussion, it was decided to hold a special meeting on Thursday, September 12, 2013.

PUBLIC HEARINGS

Danbury Hospital – Application for Revised Grant of Special Exception to incorporate all uses approved under SE #707 and SE #607 and associated site plan improvements for development of the Hospital Campus under one Grant of Special Exception – 24 Hospital Avenue (# 112001) – SE #707.

Mr. Urice read the legal notice regarding this application. Mark Kornhaas from Artel Engineering spoke in favor of this. Chairman Finaldi said the Planning Dept. Staff Report had been e-mailed out to the Commission members. Mr. Kornhaas said this is a really simple application as they are asking to incorporate two files into one. He added that a composite site plan of the entire campus has been prepared and will be part of the file. He further explained that there are no new improvements being proposed and the premise behind this application is make future projects easier to review. There were no questions from the Commission.

Chairman Finaldi asked if there was anyone to speak in opposition to this application and there was no one.

Mrs. Emminger then said although there are two ministerial changes the architect is working on, the hearing can be closed. She asked that the Commission give her guidance as to what they want in the resolution. Chairman Finaldi asked if everyone understood what the applicant was doing here and everyone responded that they understood. Mr. Ferguson made a motion to close the public hearing. Mr. Urice seconded the motion and it was passed unanimously. Mr. Urice made a motion to move this matter to item 2 under the Old Business on tonight's agenda. Mr. Chiochio seconded the motion and it was passed unanimously.

CT Institute for Communities Inc. – Application for Revised Special Exception/Revised Site Plan (“120 Main St.”) to permit (1) Apartment House/Medical & Business Offices/Retail, (2) a combination of uses which will generate over 500 vehicle trips per day, and (3) shared parking in the C-CBD Zone – Main St. & Boughton St. (#I14135 & #I14437). Shared parking on lots #I14379, #I14380, #I14381, #I14382, #I14383, #I14384, #I14385, #I14133 & #I14134 with access over #I14378 – SE #713.

Mr. Ferguson read the legal notice. Chairman Finaldi noted that the Planning Dept. Staff Report was e-mailed to the Commission members. Attorney Francis Collins spoke first giving a brief background of the original applications that were approved in May 2011. They were for a health center and an apartment building with both on-site and off-site parking. They are here tonight to present some proposed revisions to the apartment building, including an increase in the total number of units proposed, the addition of a green roof and changes to the parking. Attorney Collins asked that the Commission not interrupt the individual speakers and hold their questions until the end of the presentation.

Jim Maloney, President/CEO of CIFC, explained that this is a non profit development corporation under 501(c)(3) that works on health, housing and economic development. He said they just completed the new Head Start building at the corner of Foster and Bank Sts. He said they sponsor the Greater Danbury Community Health Center, which is currently located at 57 North St. They are also active in the housing field; they just started managing the Beaver St. complex, which just received their first passing grade from HUD. This project was started two years ago as the redevelopment of the former police station site. They want to build a new health center on the front of the parcel and that is part of what was approved two years ago. There is no change to that plan but they are here tonight to propose some changes to the housing part of the development. He said the Zoning Regulations have changed and that has allowed them to come back and ask for an increase in the number of units (from 48 to 80) and a green roof. This housing will be deed restricted for the elderly and veterans over the age of 55. Having the additional units will allow them to add limited income units to the mix as well. He said the bottom line is that this project will have a tremendous economic impact for the City.

Ron Quicquaro, Q Architecture, distributed copies of his presentation (designated Exhibit A) so the Commission could follow along. He started with an aerial view of the location which was from the original submission and said the bank building has been completed. He reviewed the architectural renderings of the buildings that were part of the original submission. He said the character of Main St changes at the Elmwood Park intersection with the steeple at St. Peter's being a big part of the change. The health center has been designed with a steeple type roof to complement both the

Church and Boughton St. He continued pointing out that scale and rhythm are very important to the design of these buildings. He showed a side-by-side comparison of the rendering of the proposed bank building and a photo of the existing bank as built today. He said next he would present a summary of the changes and the impact of the additional units on the residential building. The number of units has increased from 48 to 79; and they are proposing to change the mix of one and two bedroom units. They also will be dedicating 24 units as limited income units; these will be mixed among the other units. They have changed the configuration of the building from an "L" to a "U" with a leg. He said this makes the layout better internally and increases the security. They have added a "green roof" which really is an amenity. They also have moved the elevator to the center of the building and increased the number of parking spaces. This new design will allow them to link the housing to the health center.

Keith Beaver LA, Didona Associates, said the streetscape along Main and Boughton Sts. will not be changed from original approval. The drop off area behind building , the parking and site entry will also remain the same. The things that are being changed all are at the back of the parcel. First there is an increase in the required parking due to the additional units. There are 112 spaces required for the health center and 95 spaces for the housing. There will be 4 handicapped spaces on site; 2 for cars and 2 for vans. Some of the parking will be offsite; they are required to have 67 spaces minimum onsite. They are providing 74 spaces onsite including the handicapped spaces. They are using St. Peter's (140 spaces) and the Union Savings Bank (21 spaces) for the additional spaces. The lease agreements have been written and carefully negotiated to be sure that spaces will always be available at one of these sites. The hours of operation for the health center determined when some of the spaces will be needed. But this also worked to their benefit; it allows them to have more spaces than what is required most of the time. Some other changes include additional trees on the site, and the main entry will be two-way throughout the "U" of the building and from the center of the building to the parking area it will be one way.

Michael Galante, Traffic Engineer from Frederick Clarke Assoc., spoke next. He said his original report was prepared in April 2011, and he has been working with the City Traffic Engineer on the revisions. He said the additional units will bring an extra 20 cars on the roadway, but the analysis impacts are the same with this additional traffic. He said the City Traffic Engineer has recommended they add a bus stop and shelter on the site. There also will be additional parking spaces including sidewalk and curbing installed on Boughton St., but they are still working with the City Traffic Engineer on the details.

Michael Mazzucco PE then spoke about some of the engineering issues. He said there was an existing drainage system on this property but it was not adequate for the previous use. So they will utilize part of that system, but also will add basins and galleries to accommodate the new uses on the property. He said there is natural gas available along Main St. if they choose to use it. The sewer line on Boughton St. still has a lot of capacity available for the new uses. The water line is also on Boughton St., but since the building will be sprinklered, the demand will not be as great as it could have been. If additional flow is needed, they are prepared to run a new six inch line on Main St. He said there was documentation from Winter Brothers submitted with the application regarding the handling of the onsite dumpsters and their capacity.

Former Mayor Gene Eriquez then spoke about the economic aspect of the project. He said the first component has been completed and he is confident that the Commission is pleased with the result. This second part is what they are looking at this evening. He then described the uses located on the west side of Main St. from the Library to the South St. intersection. He said his project will take up the former Police Station parcel which is one of the larger properties along this stretch. These plans they are looking at this evening are of the highest quality and the economic impact from this proposal will be of tremendous benefit to the City. The health center will bring additional jobs for the long term and the housing will bring construction jobs for over a year and a half. The regional planning agency (HVCEO) did a study and there is a significant need for additional senior housing in Danbury. In response to this, Mayor Boughton pledged to add 80–100 senior housing units. These units will be available to all seniors and veterans over the age of 55. There will be 24 limited income units, 22 moderate income units, and 23 market rate units. This building will include the City's first "green roof", which is a really exciting concept. He said the use of these properties for the bank and the housing will add to the grand list and allow this site to produce tax income for the first time. In closing he said everyone will benefit from this proposal. At this point Attorney Collins said that is all they have for tonight; he said they would be happy to answer questions now.

Chairman Finaldi said the Commission members could now ask questions. Mr. Urice asked if the size of the health center is also changing. Mr. Quicquaro said it is not, the original square footage stated is correct. He continued saying that now that they have more units, they obviously need more parking but they still have the same number on site. Mr. Maloney then said that would be true if there were to be one car for each unit, but with the inclusion of the limited income units, they can actually calculate fewer cars. Mr. Urice asked how they will ensure there are spaces for the residents. Mr. Maloney said the spaces will be designated specifically for their use. The reason they are leasing space from St. Peter's is for the staff of the health center. They will be instructed to park at the furthest end of the lot, leaving the closer parking for patients of the health center. Mr. Urice asked if the residents will have parking stickers. Mr. Maloney said they will and those who park illegally will be towed. He added that if you look at some of the other senior housing complexes in the area, their parking lots are empty the majority of the time. Mr. Urice asked if the residents will have to move their cars on the weekends to accommodate the leased parking areas high usage times. Mr. Maloney said the parking meets the Zoning Regulations and realistically he does not see any issues with this.

Chairman Finaldi asked that someone clarify the pedestrian access to the parking at St. Peter's to and from the site. He asked if these people will have to cross two lanes of traffic on each side of the road to get from one parcel to the other. Mr. Galante said looking at his previous traffic report showing this specific area of the roadway, pedestrians would be using designated crosswalks of which there are adequate amounts. He added that they did look into this issue and the sightlines are excellent. He said other than that, the rest is up to the motorists and pedestrians to do the right thing. Mr. Urice said this issue came up at the first public hearing. He said seniors move slower and the concern is that there should be enough parking onsite so every apartment would have a space onsite. Mr. Galante said this is a legitimate concern, but the parking across the street is specifically for the staff of the health center, not the residents. Mr. Urice then asked if these units will be deed restricted. Mr. Maloney said all of the units will be designated and restricted; whether in deed or by the mortgage. He said this will ultimately be determined by the funding source, e.g.: HUD

wants things done a certain way. Mr. Maloney added that they have no floor plans yet because the three different kinds of units are funded by three different funding sources. Attorney Collins then mentioned that there is no deed because these are all rental units. Mr. Maloney said the restriction will be on their end, not on the tenants.

Mr. Urice said he thinks the fire access looks tight. Mrs. Emminger said the Fire Marshal's report was received late this afternoon and it says the trucks could get in because there is a mountable curb. Mr. Urice asked how they can approve this if they don't have the design for fire suppression. Mrs. Emminger said normally the fire flow sign off is the last thing, the actual design of the system is done during the permit review process. She continued saying that all the Commission looks at is whether the main and hydrant can handle the flow, and that is part of the Engineering Dept. review. Mrs. Emminger then asked how high the entrance arch is on Boughton St. Mr. Quicquaro said it is designed to exceed the highest level of ladder truck. She then asked if they want to discuss how the limited income units will be maintained over time. Mr. Maloney said the funding source will be sure they stay that way; you can't get them funded and then not use them that way. He added that they will work with staff to come up with a satisfactory method.

Chairman Finaldi asked if there was anyone else to speak in favor of this application.

Estelle Zimmer, 12 Old Farm Rd., said she is the Chairperson of Danbury Commission on Aging. She said we as a city, do not have the tools to take care of our increased senior population. This type of development will meet the needs of the seniors. The members of the Commission were all impressed with these new plans, and feel this will also be an asset to Main St. In closing, she said the applicants have the full support of the Commission on Aging.

Lynn Waller, 83 Highland Ave, said they have been working on this for seven years or longer and she hopes to see it in her lifetime. She said she had come with many questions but most were answered during the presentation. She said she was hoping for more than one elevator and definitely does not think five handicapped spots are enough. She is happy that the buildings will be sprinklered, but still wants to know what method will be used for heating and/or air conditioning the building. And will there be a laundry room on site. She added that the green space on the roof is delightful but she hopes there will be fencing to keep people from toppling off the building. In closing, she said there needs to be more handicapped accessible residential units in the City, but this is a good start.

Margaret Mitchell, 4 Park Place, said she also owns property on Main St. She said she reviewed the site plans today and had a list of questions. Mr. Urice asked many of them so she does not have as much to ask. She said fire trucks and ambulances get called many times a day in these senior complexes and she wondered if they would be able to get in and out of the site easily. She pointed out that many of the parking spaces at St. Peter's are used by the Salvation Army, she wondered if they are overbuilding this lot. She said the parking is very confusing and it seems that the ratio of offsite vs. onsite parking is not adequate. She also expressed concern about the residents having to cross Main St. as the crosswalks do not really stand out. She said they should be considering what the worst case scenario would bring so they are prepared to address it.

Chairman Finaldi asked if there was anyone to speak in opposition to this application.

Robert Bailey, 9 Cross St., said he is a member of St. Peters Church and he feels this project is too big for the property. He said the lease with the church is a short term solution; but what happens after the lease period ends. He said the Commission needs to consider what this project will do for parking after that period ends.

George Murphy, 8 Boughton St., said he lives across from where the housing complex would be. He said he was surprised that the parking was changed on the street. He added that parking in this area is going to be a problem and they need to look at it before going any further.

Ron Quicquaro spoke in rebuttal to the opposition's comments. He said every public space in the housing project has access to two elevators. Everything in the building will be handicapped accessible; and over 10% of the units will be designed as specifically handicapped accessible. He said all levels of the building including the garages will be sprinklered. At this point, all of the units are designed to include an apartment size washer and dryer, but if that design does not work out there will be a main laundry area per floor. There will be separate dumpsters for the health center and the housing, so there is no possibility of contamination. They have also planned for recycling to be included because they are building sustainability into the project. He said this design is denser than the original proposal but the green roof allows for outside space without taking up ground level area. He said regarding the green roof, the walkways or fencing will be set back from the edge and State Building Code requires a minimum guardrail height of 3 ft./6 in., but they also could decide to raise it higher. In closing, he said the parking is balanced with the number of units vs. the number of spaces. If there were more parking, there would be fewer units.

Attorney Collins said he also had some rebuttal comments. He said the dumpsters will be located within a hut and will have a chute from the building. The parking complies with the Zoning Regulations. If the lease was not renewed or was terminated, the property owner would be responsible for finding parking. It is their responsibility to assure there is parking for the residents of the building. He then said they would talk to the City Traffic Engineer regarding the parking on Boughton St. because they think they have a better way than what was submitted. Mr. Maloney then stepped up to thank the Commission for their time and consideration; and said he believes this is a great project for the City in all aspects.

Chairman Finaldi said many of the departmental reports came in late today, so he does not believe they should close the hearing. Mrs. Emminger said she agrees with him because there are still several issues still under discussion with some City departments. Mr. Urice made a motion to continue the public hearing. Mr. Chiochio seconded the motion and it was passed unanimously.

OLD BUSINESS FOR CONSIDERATION AND POSSIBLE ACTION

Sugar Hollow Road Assoc. LLC - Application for Revision to Floodplain Permit (originally granted October 1, 2008 & revised August 5, 2009) for "The Shops at Marcus Dairy", 3-5 Sugar Hollow Rd. (#G17002) - SE #663.

Mrs. Emminger distributed a draft resolution of approval. She said it contains the standard conditions and also a condition that says any change to the approved site

plan will require the applicant to return to the Commission to get their approval again. She explained that this is a revision to the floodplain permit originally approved in October 2008 and revised in 2009 and 2011. As a result of Phase 3 of the development, the applicant is proposing to revise the retail building located along Backus Ave. and make minor changes to the parking lot. The established base flood elevation for this area is 455.4 ft. The proposed retail building is located entirely within the limits of the floodplain. The applicant's engineer has stated that the proposed revisions do not create any additional loss in floodplain storage. The Engineering Dept. has approved the proposed grading and drainage improvements. Mr. Urice made a motion to approve this revision per the draft resolution. Mr. Chicchio seconded the motion and it was passed unanimously.

Danbury Hospital – Application for Revised Grant of Special Exception to incorporate all uses approved under SE #707 and SE #607 and associated site plan improvements for development of the Hospital Campus under one Grant of Special Exception – 24 Hospital Avenue (# I12001) – SE #707.

Mrs. Emminger asked the Commission members if they had any questions or comments regarding this matter. She reiterated that nothing new is being proposed, the purpose of this application is merge the two files and any other approved site plan files for this site into one master file. Mr. Urice said he thinks this is a good idea and asked Mrs. Emminger to prepare a resolution of approval. The other members agreed with Mr. Urice. .

NEW BUSINESS

A & J Construction – Application for Special Exception/Site Plan Approval to permit “Outdoor Storage of Construction Equipment & Building Materials; and Screening of Earth Materials”, 50–56 Payne Rd. (#M12009) in the IG–80 Zone – SE #731. *Public hearing date to be announced.*

Chairman Finaldi said this public hearing would be opened at the special meeting to be held on Thursday, September 12, 2013.

REFERRALS

8–24 Referral/August 2013 City Council Agenda Item #1: Proposed Lease of City Property – Head Start Building, 37 Foster St.

Chairman Finaldi said they should have received a report from Mrs. Calitro on this matter. The proposed leased area will house the Head Start program as part of the City's overall elementary schools' construction work and re-alignment. The building was built on Foster St. based upon a site plan approved by the Department in 2011. The parking is located on an adjacent parcel also owned by the City. The lessee is the Connecticut Institute for Communities, who is the local sponsor of the Head Start program. Mr. Urice made a motion to give this a positive recommendation subject to terms and conditions of the lease to be determined by the City Council and the Office

of Corporation Counsel. Mr. Ferguson seconded the motion and it was passed unanimously.

OTHER MATTERS

Election of Vice Chairman.

Chairman Finaldi said since Mr. Keller had resigned from the Commission, they now need to elect a new Vice-Chairman. He asked for nominations. Mr. Ferguson nominated Mr. Urice for the position. Mr. Chiocchio seconded the motion. Chairman Finaldi did a roll call vote and the motion to elect Mr. Urice as Vice-Chairman was passed unanimously.

The only thing listed under For Reference Only was the Application for Floodplain Permit for the Elks Lodge.

At 9:40 PM, Mr. Chiocchio made a motion to adjourn. Mr. Ferguson seconded the motion and it was passed unanimously.